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Paper No. 7

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**JUN 26 2002**

**OFFICE OF PETITIONS**

In re Application of	:	
Alden Dorosario et al	:	DECISION GRANTING
Application No. 10/002,470	:	PETITION
Filed: October 23, 2001	:	
Attorney Docket No. 10984-600001 /	:	
P-269	:	

This is a decision on the paper styled "PETITION TO ACCORD A FILING DATE" filed June 4, 2002, which is properly treated as a petition under 37 CFR 1.10(c), requesting that the above-identified application be accorded a filing date of October 23, 2001, rather than the presently accorded filing date of November 23, 2001.

Applicants allege that the application was deposited in "Express Mail" service with the U.S. Postal Service on October 23, 2001. In support, applicants provided, inter alia, a copy of the Express Mail label, receipt no. EL485673451US, showing a Date-In of October 23, 2001. The same Express Mail receipt number appears on the original transmittal letter found in the file. Applicants request that the application be accorded a filing date of October 23, 2001.

The Office considers the date the paper or fee is shown to have been deposited as "Express Mail" to be the "Date In" on the Express Mail label, MPEP 513. That is the date that verifies that the package was actually mailed. That is the date that verifies that the package was actually mailed. The evidence is convincing that the application was deposited as "Express Mail" with the US Postal Service on October 23, 2001.

The petition is granted.

No petition fee is required and none has been charged.

The application is being returned to Initial Patent Examination Division for correction of the filing date to October 23, 2001.

Telephone inquiries specific to this matter should be directed to Wan Laymon at (703) 306-5685.



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for Patent Examination Policy